

REMARKS

Claims remaining in the present patent application are numbered 1-27. The rejections and comments of the Examiner set forth in the Office Action dated December 30, 2004 have been carefully considered by the Applicants. Applicants respectfully request the Examiner to consider and allow the remaining claims.

OBJECTIONS TO THE DRAWINGS

The present Office Action objected to the drawings by the Draftsperson under 37 CFR 1.84 or 1.152 for the following reasons: type of paper under 37 CFR 1.84(e); character of lines, numbers and letters under 37 CFR 1.84(l); numbers, letter, and reference characters under 37 CFR 1.84(p).

Applicants submit herewith formal drawings. The formal drawings are submitted to overcome the drawing objections. Specifically, copy machine marks are absent from the formal drawings in Figures 1-4. In addition, the lines, numbers and letters are uniformly thick and well defined, clean, durable, and black in the formal drawings for Figures 1-4. Also, the numbers, figure legends, and reference characters are plain, legible, and of the correct size in the formal drawings for Figure 1-4. As such, the aforementioned objections to the drawings are moot at this time. Applicants respectfully request review and approval of the drawings.

Claim Objections

The present Office Action objected to Claims 1-27 because the phrase "B2B exchange" in claims 1, 11, and 18 is not in compliance with MPEP 608.01(m), which states: Each claim begins with a capital letter and ends with a period.

Applicants respectfully assert that Claims 1-27 are in compliance with MPEP 608.01(m). Specifically, the relevant text for MPEP 608.01(m) state that each claim begins with a capital letter and ends with a period. Abbreviations are allowed within the body of the claim. As such, capitals are allowed within the body of the claim.

Each of the independent Claims 1, 11, and 18 are in compliance with MPEP 608.01(m). Specifically, each of the independent Claims 1, 11, and 18 begin with the capital letter "A." In particular, independent Claim 1 begins with the text, as follows: "A method for" Also, independent Claim 11 begins with the text, as follows: "An apparatus for" Further, independent Claim 18 begins with the text, as follows: "A computer readable medium . . ." As such, each of the independent Claims 1, 11, and 18 begin with the capital letter.

Furthermore, each of the independent Claims 1, 11, and 18 end with a period. Specifically, each of the independent

Claims 1, 11 and 18 end with the text, as follows: "within the B2B exchange." As such, each of the independent Claims 1, 11, and 18 end with a period

The text "B2B exchange" within each of the independent Claims 1, 11 and 18 is irrelevant within the context of complying with MPEP 608.01(m). That is, each of the independent Claims 1, 11 and 18 start with a capital letter and end with a period. It is irrelevant that there are capital letters within the body of the claim. In fact, abbreviations are allowed within the body of the claim, and MPEP 608.01(m) does not specifically state that capital letters are not allowed within the body of the claim.

As such, each of the independent Claims 1, 11, and 18 are in compliance with the MPEP 608.01(m). Moreover, the objections to each of the dependent Claims 2-10, 12-17, and 19-27 through their dependencies are overcome since the objections to corresponding independent Claims have been overcome.

35 U.S.C. §102 Rejection

The present Office Action rejected Claims 1-4, 7-14, 17-21, and 24 under 35 U.S.C. 103(a) as being anticipated by Elms et al. (U.S. Patent Application Publication No. 2002/0072992 A1). Also, the present Office Action rejected

Claims 5-6, 15-16, 22-23, and 25-27 under 35 U.S.C. as being unpatentable over Elms et al. in view of Walker et al. (U.S. 2002/0169626). Applicants have reviewed the above cited reference and respectfully submit that the present invention as recited in Claims 1-27, is neither anticipated nor rendered obvious by the Elms et al. reference taken alone or in combination with the Walker et al. reference.

Independent Claims 1, 11 and 18

Applicants respectfully point out that independent Claims 1 and 18 each recite that the present invention includes, in part:

establishing voice communication directly between the first party and the second party;
establishing a web-based collaboration session directly between the first party and the second party through a mutual URL while the voice communication is active; and
transacting a business deal between the first party and the second party through the voice communication and web-based collaboration session.
. . . (Emphasis Added)

In addition, independent Claim 11 recites, in part:

means for establishing voice communication directly between the first party and the second party;
means for establishing a web-based collaboration session between the first party and the second party through a mutual URL while the voice communication is active; and
means for transacting a business deal between the first party and the second party through the voice communication and web-based collaboration session. . . . (Emphasis Added)

The present invention pertains to a method and apparatus for providing a locate, collaborate, and transact (LCT) communications platform for a business-to-business (B2B) exchange service center. In particular, independent Claims 1 and 18 each recite establishing a direct voice communication between located parties, and establishing a web-based collaborative session between both parties while the voice communication is active. That is, independent Claims 1, 11, and 18 each recite simultaneous voice and web-based collaboration sessions between a first party and a second party that have been located, such as in an LCT communications platform that are utilized when transacting a business deal in a B2B exchange.

Also, independent Claim 11 recites a means for establishing a direct voice communication between located parties, and the means for establishing a web-based collaborative session between the two parties while the voice communication is active. Further, independent Claim 11 recites the use of both the voice communication and web-based collaboration session when transacting a business deal in a B2B exchange.

Applicants respectfully note that the prior art reference, Elms et al., does not comprise nor suggest the present method and apparatus that enables conducting

transactions in a B2B exchange including establishing a direct voice communication, establishing a web-based collaborative session through a mutual URL between a first party and a second party while the voice communication is active, and the use of both the voice communication and the web-based collaboration session to transact a business deal between the two parties, as is recited in independent Claims 1, 11, and 18.

In contrast to independent Claims 1, 11, and 18 of the present invention, the Elms et al. reference, discloses a computer-implemented method for enabling a host to facilitate a transaction between a first and second party. In particular, the Elms et al. reference fails to conduct both a voice communication and a web-based collaborative session as recited in independent Claims 1, 11 and 18 of the present invention.

In one implementation, every operation or communication between the first party and the second party goes through the host. For example, an e-mail session is conducted through a server between the two parties in an exchange of e-mail correspondence to facilitate a transaction. However, in this implementation the Elms et al. reference does not disclose conducting both the e-mail session and a voice communication between the parties when conducting the transaction. As such, in the present implementation, the Elms et al.

reference does not establish direct voice communication between the first party and the second party, which is essential in the present invention as recited in independent Claims 1, 11, and 18 of the present invention.

In another implementation, in the Elms et al. reference, a real-time chat is provided between the buyer and vendor. The real-time chat is envisioned in place of an exchange through a written format. That is, the real-time chat is mutually exclusive of the exchange through a written format (e.g., e-mail exchange). As such, the Elms et al. reference in this implementation does not establish a web-based collaborative session (e.g., e-mail correspondence), which is required in the present invention as recited in independent Claims 1, 11, and 18.

The disclosure in the Elms et al. reference is in direct contrast to embodiments of the present invention as recited in independent Claims 1, 11, and 18. In particular, the present invention claims a method and apparatus for conducting a transaction in a B2B exchange that provides for establishing a direct voice communication, establishing a web-based collaborative session while the voice communication is active, and transacting a business deal through both the voice communication and the web-based collaborative session through a mutual URL between a first party and a second party, as recited in independent Claims 1, 11, and 18.

Thus, Applicants respectfully submit that the present invention as disclosed in independent Claim 1, 11, and 18 is not anticipated nor rendered obvious by the Elms et al. reference, and is in a condition for allowance. In addition, Applicants respectfully submit that Claims 2-10 and 25 which depend from independent Claim 1 are also in a condition for allowance as being dependent on an allowable base claim. Similarly, Applicants respectfully submit that Claims 12-17 and 26 which depend from independent Claim 11 are also in a condition for allowance as being dependent on an allowable base claim. In addition, Applicants respectfully submit that Claims 19-24 and 27 which depend from independent Claim 18 are also in a condition for allowance as being dependent on an allowable base claim.

CONCLUSION

In light of the facts and arguments presented herein, Applicants respectfully request reconsideration of the rejected Claims.

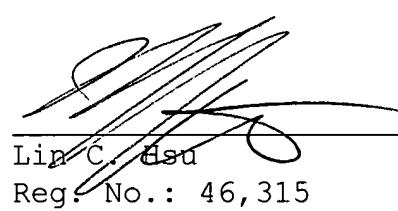
Based on the arguments presented above, Applicants respectfully assert that Claims 1-27 overcome the rejections of record. Therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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